IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FOURTH DAY OF MAY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 11586 of 2005

Between:

Siram Srinivas, S/o Ramakrishna, Unemployee,

Thondangi, Thondangi Mandal, East Godavari District.

….. PETITIONER

AND

1. The Branch Manager, Corporation Bank,

Thondangi (Post), Thondangi Mandal,

East Godavari District.

2. The District Employment Officer,

Kakinada, East Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, Order or direction, more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not allowing the petitioner to appear for written test/ interview for selection and appointment to the post of Part-time Sub-staff as illegal, arbitrary and contrary to the judgment of the Honourable Supreme Court of India reported in 1996(6) Scale 676 and consequently to direct the respondent No.1 to consider the petitioner's case for selection and appointment to the post of Part time Sub-staff without insisting that the petitioner name should be sponsored by the Employment Exchange.

Counsel for the Petitioner: MR.B.P.RAJU

Counsel for the Respondents: GP FOR EMPLOYMENT & TRAINING

The Court made the following:

ORDER:

Heard the learned counsel for the petitioner and the learned standing counsel for the respondents who took notice for the respondents and the matter was heard finally with the consent of the learned counsel and is being disposed of at the admission stage.

The grievance of the petitioner is that the respondents refused to consider the application of the petitioner for the post of part time sub-staff only on the ground that his name was not sponsored by the concerned employment exchange. If this is the only reason for not considering the application of the petitioner, the action of the respondents cannot be upheld in view of the principle laid down by the Supreme Court reported in **Excise Superintendent, Malakapatnam, Krishna District Vs K.B.N. Visweswara Rao.**

In that view of the matter, the writ petition is disposed of directing the respondents to consider the application of the petitioner for the post of part-time sub-staff in terms of the regulations without disqualifying him only on the ground that his name was not sponsored by the concerned employment exchange, if he is otherwise eligible. No costs.

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(V. ESWARAIAH, J)

Date: 24.05.2005.

Ksn

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Branch Manager, Corporation Bank,

Thondangi (Post), Thondangi Mandal,

East Godavari District.

2. The District Employment Officer,

Kakinada, East Godavari District.

3. Two CCs to G.P. for Employment and Training, High Court Buildings,

Hyderabad (OUT).

4. 2 CD copies

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